

Form 1 – Application for Resource Consent



This application is made under Section 88 of the Resource Management Act 1991 (RMA).

The purpose of this Form 1 and the relevant activity form(s) is to provide applications with guidance on information that is required under the Resource Management Act 1991. Please note that these forms are to act as a guide only, and Otago Regional Council reserves the right to request additional information or to reject the application as incomplete under Section 88 of the RMA if the provisions of the fourth schedule of the RMA are not provided (refer to page 6 of this form, which details these requirements).

PLEASE NOTE: You must have Adobe Acrobat Reader installed onto your computer to use this editable version, which you can download for free from the Adobe website. This form cannot be filled in on your internet browser. REMEMBER to save the form to your computer after completing then attach and send via email along with the other relevant application forms/information to consents.application@orc.govt.nz. The form can also be printed and completed manually.

1(a). Applicant's details:

- The full names or Company name or Trust (including full names of all Trustees) of the consent holder who will be responsible for the consent and any associated costs.
- A resource consent can only be held by a legal organisation or fully named individual(s). A legal organisation includes a registered limited company, incorporated group or registered trust. If the application is for a Trust, the full names of all Trustees are required. If the application is not for a limited company, incorporated group or trust, then you must use fully named individual(s).
- All invoices will be made out to and sent to the applicant.

Full name(s): _____

OR

Registered company: _____

OR

Trust (include all Trustees full names) _____

Postal address: _____

Post code: _____

and

Physical address: _____
(not a PO Box number)

Post code: _____

Phone number: Business: _____ Private: _____

Mobile: _____

Email address: _____

Please provide a valid and clear email address. Otago Regional Council has adopted a paperless consenting process – therefore any correspondence including decision documents and consent (if granted) will be sent via email, unless you request a paper copy.

Please tick if you do not prefer contact by electronic means

1(b). Key contact for applicant details (if applicable):

Only complete if the applicant consists of multiple parties (e.g. multiple consent holders, Trust etc). Please outline who the key contact for the consent will be, if granted:

Full name: _____
Phone number: Business: _____ Private: _____
Mobile: _____
Email address: _____

2. Consultant details (if applicable):

Contact person: _____
Company: _____
Phone number: Mobile: _____ Business: _____
Email address: _____

3. Consents required in relation to this proposal:

Water

Take surface water Divert
 Take groundwater Dam

Discharge onto or into:

Land Water Air

Land use:

Bore construction Activities in or on beds of lakes or rivers or floodbanks
 Bore alteration Disturbance of contaminated land

Coastal

Activities in the coastal marine area (i.e. below mean high water spring tide)

Where you have indicated the type of consent that is required, you must complete the appropriate application form before your application can be processed. Application forms can be found on the Council's website: www.orc.govt.nz/consents/ready-to-apply-for-a-consent

4. For what purpose is/are the consent(s) required (e.g. gravel extraction, water for irrigation etc):

5. Location of proposed activity:

Address: _____

Legal description(s): _____

Map reference(s) (NZTM 2000): E _____ N _____

Please include location details on separate documentation if there are multiple sites or activities.

Note: Certificate(s) of Title less than three months old for the site to which this application relates are required.

6. Are there any current or expired Resource Consents relating to this proposal:

Yes No

If yes, give consent number(s), description and expiry date(s):

(a) Do you agree to your current consent automatically being surrendered should a replacement consent be issued?

Yes No

(b) Has there been a previous application for this activity that was returned as incomplete?

Yes No

(c) Have you lodged a pre-application with Council for this activity?

Yes No

(d) Have you spoken to a Council staff member about this application prior to lodging this application?

Yes No

If yes, please state name of staff member: _____

7. What is the term of consent you are seeking and reason for this term:

8. Territorial Local Authority in which activity is situated:

Dunedin City Council

Queenstown Lakes District Council

Clutha District Council

Waitaki District Council

Central Otago District Council

9. Do you require any other resource consent from any local authority for this activity:

Yes No

If yes, please give the date applied for or issued:

10. For the land on which the activity occurs, is the applicant (tick one):

If the applicant does not own the land to which this application relates, unconditional written approval from the land owner/affected party will be required.

- The owner
- The lease holder
- The occupier
- Prospective purchaser

If the applicant is not the land owner, who is the owner of the land on which the activity occurs/is to occur:

Name of land owner: _____

Phone number: Mobile: _____ Business: _____

Email address: _____

11. Site visit from the Consents Team:

Consents staff are able to meet with you, visit your site and see what you are proposing to do. We find that this is beneficial to everyone involved. The cost of the visit will be included in the total cost of processing your consent. However, we find that applications that have an on-site visit are processed with less congestion and at a similar or lesser overall cost. Please let us know below if you would like us to come and see your site.

I would like a member of the Consents Team to visit my site:

- Yes No

12. How to pay:

A deposit **must** accompany this application (see **page 8** for amounts and ways to pay). The applicant will be invoiced for all costs incurred in processing this application that exceed the deposit.

If the required deposit does not accompany your application, staff will contact you on the email address provided on this form to request payment, and after 5 working days your application will returned as incomplete if no payment is made for the required deposit.

When paying online, please use the word **'Consent'** followed by the name of the applicant as a reference.

Method of payment:

- | | |
|---|------------------------------------|
| <input type="checkbox"/> Online bank transfer | <input type="checkbox"/> Cheque |
| <input type="checkbox"/> Credit card | <input type="checkbox"/> In person |

Date of payment: _____

Amount paid: _____

Payment reference: _____

Please note: Your deposit may not cover the entire cost of processing your application. At the end of the application process you will be invoiced for any costs that exceed the deposit. Interim invoices may be sent out for applications, where appropriate.

Information regarding the average costs in processing various types of single non-notified consent applications can be found via the following link, scrolling down to "Costs to process the application": www.orc.govt.nz/consents/ready-to-apply-for-a-consent/fees-and-charges

Checklist

Before signing the declaration below, in order to provide a complete application have you remembered to:

- Fully complete this Form 1, including signed declaration
- Completed the necessary application forms relating to the activity
Application forms can be found on Council's website via the following link:
www.orc.govt.nz/consents/ready-to-apply-for-a-consent
- Payment of the required deposit (see page 8 for fees schedule)
- Written approvals from all potentially affected parties
"Written Approval of an Affected Party" forms are available from Council's website
- An assessment of effects on the environment
- An assessment against the relevant objectives, policies and rules from Regional Council Plans, Regional Policy Statement (including proposed and partially operative versions), and relevant Regulations, National Policy Statements, National Environmental Standards and iwi management plans
- Site and location plans
- Certificate(s) of Title less than three months old for the site to which this application relates
Certificates of Title can be obtained via the Land Information New Zealand website:
www.linz.govt.nz

Declaration

I/we hereby certify that to the best of my/our knowledge and belief, the information given in this application is true and correct.

I/we undertake to pay all actual and reasonable application processing costs incurred by the Otago Regional Council.

Name(s): _____

Signature(s)*: _____
(or person authorised to sign on behalf of applicant)

*** Ensure you use the "fill and sign" function of Adobe Acrobat when signing this form. Either draw your signature or add an image. Council cannot accept typed signatures.**

Designation: _____
(e.g. owner, manager, consultant)

Date: _____

Council can accept electronic lodgement of applications if sent to consents.applications@orc.govt.nz.

Alternatively, applications can be posted or delivered to:
Otago Regional Council
Private Bag 1954
70 Stafford Street
Dunedin 9054

Consultation

(consultation is not compulsory, but it can make a process easier and reduce costs)

Under Section 95E of the Resource Management Act 1991 (the Act), the Council will identify affected parties to an application and if the application is to be processed on a non-notified basis the unconditional written approval of affected parties will be required. Consultation with potentially affected parties and interested parties can be commenced prior to lodging the application.

Consultation may be required with the appropriate Tangata Whenua for the area. The address of the local Iwi office is: Aukaha, 258 Stuart Street, P O Box 446, Dunedin, Fax (03) 477-0072, Phone (03) 477-0071, Email info@aukaha.co.nz. If you are in the Clutha River area you may need to talk to Te Ao Marama Inc, Phone (03) 931 1242. If you require further advice, please contact the Otago Regional Council.

Good consultation practices include:

- Giving people sufficient information to understand your proposal and the likely effects it may have on them
- Allowing sufficient time for them to assess and respond to the information
- Considering and taking into account their responses

Written approval forms are available on Council's website.

Information Requirements

In order for any consent application to be processed efficiently in the minimum time and at minimum cost, it is critical that as much relevant information as possible is included with the application.

Resource Management Act 1991

FOURTH SCHEDULE – ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

(Below are the provisions of the fourth schedule of the Act, which describes what must be in an application for resource consent, as amended in 2015)

1. Information must be specified in sufficient detail

Any information required by this schedule, including an assessment under clause 2(1)(f) or (g), must be specified in sufficient detail to satisfy the purpose for which it is required.

2. Information required in all applications

- (1) An application for a resource consent for an activity (the **activity**) must include the following:
 - (a) a description of the activity; and
 - (b) a description of the site at which the activity is to occur; and
 - (c) the full name and address of each owner or occupier of the site; and
 - (d) a description of any other activities that are part of the proposal to which the application relates; and
 - (e) a description of any other resource consents required for the proposal to which the application relates; and
 - (f) an assessment of the activity against the matters set out in Part 2; and
 - (g) an assessment of the activity against any relevant provisions of a document referred to in section 104(1)(b) (*"document" includes regional and district plans, regulations, national policy statements, iwi plans*).
- (2) The assessment under subclause (1)(g) must include an assessment of the activity against:
 - (a) any relevant objectives, policies, or rules in a document; and
 - (b) any relevant requirements, conditions, or permissions in any rules in a document; and
 - (c) any other relevant requirements in a document (for example, in a national environmental standard or other regulations).
- (3) An application must also include an assessment of the activity's effects on the environment that:
 - (a) includes the information required by clause 6; and
 - (b) addresses the matters specified in clause 7; and
 - (c) includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

3. Additional information required in some applications

An application must also include any of the following that apply:

- (1) if any permitted activity is part of the proposal to which the application relates, a description of the permitted activity that demonstrates that it complies with the requirements, conditions, and permissions for the permitted activity (so that a resource consent is not required for that activity under section 87A(1))

- (2) if the application is affected by section 124 or 165ZH(1)(c) (which relate to existing resource consents), an assessment of the value of the investment of the existing consent holder (for the purposes of section 104(2A))
- (3) if the activity is to occur in an area within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011, an assessment of the activity against any resource management matters set out in that planning document (for the purposes of section 104(2B)).

4. **(relates to subdivisions – not included here as subdivisions are not within ORC’s jurisdiction)**

5. Additional information required in application for reclamation

An application for a resource consent for reclamation must also include information to show the area to be reclaimed, including the following:

- (1) the location of the area; and
- (2) if practicable, the position of all new boundaries; and
- (3) any part of the area to be set aside as an esplanade reserve or esplanade strip.

Assessment of environmental effects

6. Information required in assessment of environmental effects

- (1) An assessment of the activity's effects on the environment must include the following information:
 - (a) if it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity
 - (b) an assessment of the actual or potential effect on the environment of the activity
 - (c) if the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment that are likely to arise from such use
 - (d) if the activity includes the discharge of any contaminant, a description of:
 - (i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and
 - (ii) any possible alternative methods of discharge, including discharge into any other receiving environment.
 - (e) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect
 - (f) identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted
 - (g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved
 - (h) if the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).
- (2) A requirement to include information in the assessment of environmental effects is subject to the provisions of any policy statement or plan
- (3) To avoid doubt, subclause (1)(f) obliges an applicant to report as to the persons identified as being affected by the proposal, but does not:
 - (a) oblige the applicant to consult any person; or
 - (b) create any ground for expecting that the applicant will consult any person.

7. Matters that must be addressed by assessment of environmental effects

- (1) An assessment of the activity's effects on the environment must address the following matters:
 - (a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects
 - (b) any physical effect on the locality, including any landscape and visual effects
 - (c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity
 - (d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations
 - (e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants
 - (f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.
- (2) The requirement to address a matter in the assessment of environmental effects is subject to the provisions of any policy statement or plan.

Set out below are details of the amounts payable for those activities to be funded by fees and charges, as authorised by s36(1) of the Resource Management Act 1991.

Resource Consent Application Fees (from 1 July 2019)

Note that the fees shown below are a **deposit** to be paid on lodgement of a consent application and applications for exemptions in respect of water metering devices. This deposit will not usually cover the full cost of processing the application, and further costs are incurred at the rate shown in the scale of charges. GST is included in all fees and charges.

If you wish to make a payment via internet banking, or on line, the details are below. Please note the applicants name and 'consent application' should be used as reference when paying the deposit.

For ways to pay, visit: www.orc.govt.nz/consents/ready-to-apply-for-a-consent

Publicly Notified Applications: ³	\$
First application	5,000.00
Concurrent applications	225.00

Non Notified Applications and Limited Notified Applications: ³	\$
First application (except those below)	1,000.00
Concurrent applications ¹	50.00
Variation to conditions – s127	1,000.00
Administrative variation – s127	500.00
Exemptions from water measuring Regulations	200.00
Bores	500.00
Gravel	500.00

Hearings	Per Note 2 below
Payment for Commissioner request – s100A	Per Note 4 below

Objections	Per Note 4 below
Payment for Commissioner request – s357AB	Per Note 4 below

Transfers and Certificates Deposits:	\$
Transfer of permits and consents	100.00
Priority Table	100.00
Section 417 Certificate	200.00
Certificate of Compliance	200.00
Section 125 – Extension of lapse date	100.00
All Other Costs	As per Scale of Charges

	From 1 July 2019
Scale of Charges:	\$
Staff time per hour	
• Executive staff	235.00
• Senior Technical/Scientist	170.00
• Technical/Scientist	125.00
• Field Staff	100.00
• Administration	85.00
Disbursements	Actual
Additional site notice	Actual
Advertisements	Actual
Vehicle use per kilometre	0.70
Travel and accommodation	Actual
Testing charges	Actual
Consultants	Actual
Commissioners	Actual
Photocopying and printing	Actual
Councillor hearing fees per hour	
• Chairperson	100
• Member	80
• Expenses	Actual

Notes

1. For additional permits in respect of the same site, activity, applicant, time of application, and closely related effect as the first application.
2. The deposit payable shall be 90% of the cost of a hearing as calculated by Council in accordance with information contained in the application file and using the scale of charges. The amount payable will be due at least 10 working days before the commencement of the hearing. If the amount is not paid by the due date, then the Otago Regional Council reserves the right under S36 (7) of the Resource Management Act to stop processing the application. This may include cancellation of the hearing.

Should a hearing be cancelled or postponed due to the non-payment of the charge, the applicant will be invoiced for any costs that arise from that cancellation or postponement.

Following completion of the hearing process, any shortfall in the recovery of hearing costs will be invoiced, or any over recovery will be refunded to the applicant.

Under Section 100A of the RMA, one or more submitters may make a request to have a resource consent application heard by one or more hearing commissioners who are not members of Council. In this case the applicant will pay the amount that Council estimates it would cost for the application to be heard had the request not been made, and the submitter(s) who made the request will pay, in equal shares, the cost of the application being heard that exceeds that amount payable by the applicant.

Further, the applicant may request to have a resource consent application heard by one or more hearing commissioners who are not members of Council. In this case, the applicant will pay the full costs.

3. Where actual and reasonable costs are less than the deposit paid, a refund will be given.
4. Where an applicant requests under s100A (for a consent hearing) or under s357AB (for the hearing of an objection) an independent commissioner(s); the applicant will be required to pay any increase in cost of having the commissioner(s).

Where a submitter(s) requests under s100A an independent commissioner(s) any increase in costs that is in addition to what the applicant would have paid shall be paid by the submitter. If there is more than one submitter who has made such request the costs shall be evenly shared.

Administrative charges

The following one-off administration charges shall apply to all resource consent applications received:

Publicly Notified and Limited Notified Applications	\$
First application	100.00
Concurrent applications	50.00
Non-Notified Applications	\$
First application	50.00
Concurrent applications	25.00
Other	\$
Certificate of Compliance	25.00
Section 417 Certificate	25.00
Exemptions from water metering regulations	25.00

Review of consent conditions

Following the granting of a consent, a subsequent review of consent conditions may be carried out at either request of the consent holder, or, as authorised under Section 128, as a requirement of Council. Costs incurred in undertaking such reviews will be payable by the consent holder at the rates shown in the Scale of Charges above.

Reviews initiated by Council will not be charged to consent holders.

Compliance Monitoring Charges

Compliance charges may also be applied to any granted consent(s). These can be found via Council's website at: www.orc.govt.nz/media/6959/chargesfees-june_2019-copy_web-pages.pdf